

Application No. 10/627,575

TMI-5009

REMARKS

The Applicants request reconsideration of the rejection.

Claims 1-52 are pending.

A new title has been provided as required by the Examiner.

Claims 7-8, 10-11, 31-32, and 46-57 were rejected under 35 USC §112, second paragraph, for the reasons set forth on page 4 of the Office Action. The claims have been amended to address the Examiner's concerns. In doing so, the Applicants note the misinterpretation of the expression noted on page 4 of the Office Action; the expression indicated as being informal should be interpreted as meaning that data is copied from the first storage region to a location in the second storage region that has not already received data copied from the first storage region. The claims have been amended to clarify this matter.

Claims 1-52 were rejected under 35 USC §102(b) as being anticipated by Micka, et al., US 6,189,079 (Micka). The Applicants traverse as follows.

As amended, independent claim 1 recites a storage apparatus having a storage region and a control unit that operates in response to a commands from a computer. A first command that snaps a first storage region in the storage

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region and a second storage region in the storage region into a snap state in which the first and second storage regions have a primary-secondary control relationship. While the first and second storage regions are in the snap state, the first command allows copying of the data from the first storage region to the second storage region in response to a read instruction to read data in the second storage region. In response to a second command, the control unit dissolves the snap state between the first storage region and the second storage region.

Thus, claim 1 is distinguishable from Micka, which was applied as teaching that mere copying of data "correlates the operation between the primary and secondary areas by indicating which tracks are to be copied." Office Action, page 5. By the above amendments, the relationship between the first and second storage regions is clarified in accordance with the "snap state", illustrated on page 9 of the specification, for example. Independent claims 12, 19, 25, 36, 43, and 49-52 are similarly distinguishable.

In addition, independent claims 1, 19, and 25 (and numerous dependent claims) are limited by a dissolution of the snap state. The Examiner cites Micka at column 8, lines 41-47, but this passage appears to deal only with resetting of


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the primary relationship table to indicate that a track has been copied. No snap state is dissolved by simply noting the copy completion.

In view of the foregoing amendments and remarks, the Applicants request reconsideration of the rejection and allowance of the claims.

Respectfully submitted,



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